IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.4048 OF 2005

IN

APPEAL NO.1150 OF 2005

IN

SUIT NO.1780 OF 1993

...

Vijay Enterprises ...Appellant

v/s.

Gopinath Koli & ors. ...Respondents

...

Mr.U.J.Makhija, Sr.Counsel with M/s. B.Dandekar & Co. for the Appellant.

Mr.Y.T.Bhagat i/b M/s.Vasant & Co. for the Respondents 1, 3,6,8,10 to 13, 18 to 21, 24 to 27.

None for Respondents Nos. 29 to 32.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 30TH AUGUST, 2007

P.C.:

Heard the learned Counsel for the Appellant. It appears to be an admitted position that during the pendency of the suit before the learned single Judge, an order directing the parties to the suit to maintain status-quo in relation to the suit property was operating. By the order impugned in the Appeal that order was continued. That order has already been continued by the Appeal court by order dated 22nd December, 2005. According to the Appellant, the Respondent No.29 is presently in actual possession of the suit property.

In our opinion, considering the pros & cons of the matter, it will be appropriate to direct the parties to maintain status-quo during the pendency of the Appeal. It is accordingly so ordered. Motion disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)